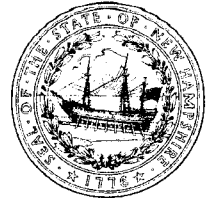




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

LETTER OF DEFICIENCY

No. WD SS 06-010

August 10, 2006

Richard Messina
PO Box 126
Peterborough, NH 03458

RE: Manor Motel Septic Failure

Dear Mr. Messina:

On August 9, 2006, personnel from the Department of Environmental Services, Water Division ("DES") received a follow up complaint from the Town of Windham health officer, Mr. Alfred Turner. Mr. Turner had previously conducted an inspection of the Manor Motel property, described as Lots #100 and 120, on Tax Map #13-D, and located on Route 28, Windham, NH, 03087 ("the Property"). The purpose of this inspection was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules"). Mr. Turner has stated that the problem originally identified is recurring, and has not been addressed.

As a result of the inspection, the following deficiency was noted:

1. Septage is discharging on the surface of the ground, indicating septic system failure.

DES believes the above deficiency can be permanently corrected within 30 days by initiating and completing the following measures:

1. Engage a permitted septic system designer to prepare and submit septic system plans and specifications to DES for the total waste load generated on the Property.
2. Obtain approval to construct the system.
3. Construct and obtain approval to cover and use the system.
4. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

During interim between receipt of this letter and the date by which permanent corrections have been completed, as an alternate to vacating the premises, DES requests that collected sewage be pumped and disposed in accordance with NH Administrative Rule Env-Ws 1600 at sufficient frequent intervals to prevent further overflow. If this alternative is utilized, it is requested that pumping receipts be retained.

DES believes the cited deficiencies can be corrected within 60 days and a report describing the corrective measures can be submitted to this office within 60 days of receipt of this letter.

In the event compliance is not achieved within this period, DES may initiate further action against you, including issuing an order requiring the above items to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violation(s) noted above.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES
Department of Environmental Services
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,

A handwritten signature in black ink, appearing to read "William E. Evans", is written over a large, stylized "COPY" stamp.

William E. Evans, P.E.
Administrator
Subsurface Systems Bureau

WEE/RJD

CERTIFIED MAIL 7099 3400 0002 9772 9653

Cc: James G. Falicon, SSB, DES

Gretchen Hamel, Administrator, DES Legal Unit ✓

Board of Selectmen, Town of Windham

A. Turner, Health Officer, Town of Windham

Richard J. de Seve, SSB, DES